

RECOMMENDATIONS FOR REPORTING CENTER EXPANSION

Prepared by the Community Corrections Planning Subcommittee

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ACKNOWLEDGMENTS

In collaboration with Ellen Brokofsky (Probation Administration), Robert Houston (Department of Correctional Services) and Cathy Gibson-Beltz (Parole Administration), the Community Corrections Council formed the Community Corrections Planning Subcommittee, a working group comprised of representatives from the Council, Probation, Parole and the Courts to collect and review the relevant data and develop the Reporting Center expansion recommendations contained in this report.

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EXECUTIVE SUMMARY

The Community Corrections Council Planning Subcommittee in collaboration with the Office of Probation Administration, the Office of Parole Administration and the Department of Correctional Services, recommends the following plan for the expansion of reporting centers in Nebraska. As any suggested implementation timeframe will be subject to the reality of available resources, the recommendations herein are proposed in phases which prioritize the order of expansion but can be implemented as resources become available. The proposed dates are the earliest that expansion is recommended based upon the readiness of the localities in question, and are subject to modification as needs dictate.

Phase 1: Four new reporting centers in Norfolk, Fremont, Grand Island, and Scottsbluff and the addition of two Specialized Substance Abuse Supervision (SSAS) officers and one probation officer assistant in both Lincoln and Omaha.

Timeframe: The four new reporting center locations are ready to move forward over the short term. Madison and Fremont have selected a location for a reporting center and could be opened in FY2012. Grand Island and Scottsbluff could move forward in FY2013 as they have strong local support and have begun discussions with Probation. SSAS expansion in Lancaster and Douglas Counties can proceed in FY2012 or as soon as resources are available and officers can be trained.

Phase 2: Three reporting center sites in North Platte, Hastings and Columbus and a second reporting center location in Douglas County. The facilities in North Platte, Hastings and Columbus would have half the staffing component of a full reporting center and would partner with another local facility, similar to the current situation in Kearney/Lexington and Bellevue/Nebraska City. North Platte would partner with the existing reporting center(s) in Lexington and/or McCook, Columbus with Norfolk, and Hastings with Grand Island and/or Kearney as needs and resources dictate. The second reporting center in Douglas County would utilize the additional SSAS officers added during phase one and add the remaining staff needed to operate a second facility within the county.

Timeframe: As the communities indicate a readiness to move forward and resources become available, but no earlier than the 2013-14 biennium.

Costs: A breakdown of the proposed budget for expansion based upon the recommended implementation timeframe is included below. Developing eight additional reporting centers and expanding the SSAS program in Lancaster County would require a total financial commitment of \$ 7,222,786 over three years to implement with an annual ongoing cost of \$3,311,700.

Reporting Center Expansion Proposed Budget						
Phase 1	Year 1	Item	Location	Total Expense	Ongoing Expense	Budget
		New RC's	Norfolk	\$533,000	\$483,000	
			Fremont	\$533,000	\$483,000	
			Total	\$1,066,000	\$966,000	
		SSAS Expansion	Lincoln	\$172,043	\$172,043	
			Omaha	\$172,043	\$172,043	
			Total	\$344,086	\$344,086	
		Year 1 Total		\$1,410,086	\$1,310,086	\$1,410,086
		Year 2	Item	Location	Total Expense	Ongoing Expense
	New RC's		Grand Island	\$533,000	\$483,000	
			Scottsbluff	\$533,000	\$483,000	
			Total	\$1,066,000	\$966,000	
	Carryover - Ongoing Expense			\$1,310,086	\$1,310,086	
	Year 2 Total			\$2,376,086	\$2,276,086	\$2,376,086
	Phase 1 Total				\$2,276,086	\$3,786,172
Phase 2	Year 3	Item	Location	Total Expense	Ongoing Expense	Budget
		New RC's*	Columbus	\$266,500	\$241,500	
			North Platte	\$266,500	\$241,500	
			Hastings	\$266,500	\$241,500	
			Douglas	\$361,114	\$311,114	
			Total	\$1,160,614	\$1,035,614	
		Carryover - Ongoing Expense		\$2,276,086	\$2,276,086	
		Year 3 Total		\$3,436,700	\$3,311,700	\$3,436,700
		Phase 2 Total			\$3,311,700	\$3,436,700

Funding: The recommendations provide several potential funding mechanisms for expansion from which the legislature can select. A combination of one or more will be required to fully implement the plan as none of the proposed funding sources will completely cover the costs of expansion alone. The potential funding sources are identified below:

- Probation Program Cash Fund
- Increasing monthly supervision fees for offenders
- Performance Incentive Funding
- Increase Parole contribution
- Increase local contribution
- Cutting existing community corrections programs
- General Fund Appropriation

INTRODUCTION

In May of 2009, the Nebraska Legislature adopted Legislative Resolution (LR) 171, which created the Sentencing and Recidivism Task Force (Task Force). The Task Force is comprised of seven members of the legislature and is chaired by Senator Pete Pirsch. The mission of the Sentencing and Recidivism Task Force is set forth in LR 171:

The Sentencing and Recidivism Task Force is authorized to study the sentencing of juveniles and adults to Nebraska correctional institutions for rehabilitative purposes, including the associated fiscal impact. The task force shall study issues relating to the reentry of these juveniles and adults into Nebraska communities, including, but not limited to, the sufficiency and effectiveness of the rehabilitative and reentry programs, the number of spaces available for these programs, and the effectiveness of these programs in reducing the rate of recidivism. Finally, the task force shall study the sentencing of individuals convicted of crimes for equality of sentencing for the same or similar crimes statewide. The task force shall issue a report of its findings and recommendations to the Legislature on or before January 1, 2011, and shall terminate on January 1, 2011.¹

The Task Force held hearings in August of 2009, and during the 2010 legislative session, Senator Pirsch introduced Legislative Bill (LB) 864, which contained the initial recommendations of the task force. The recommendations focused on the need to expand community corrections services statewide by establishing reporting centers in all 12 judicial districts. LB 864, adopted in May of 2010, calls for the development of a plan to expand reporting centers statewide. The specific requirements for the plan are set forth in section 47-624.01:

47-624.01. Council; plan for implementation and funding of reporting centers; duties.

(1)(a) The council shall collaborate with the Office of Probation Administration, the Office of Parole Administration, and the Department of Correctional Services in developing a plan for the implementation and funding of reporting centers in Nebraska.

(b) The plan shall include recommended locations for at least one reporting center in each district court judicial district that currently lacks such a center and shall prioritize the recommendations for additional reporting centers based upon need.

(c) The plan shall also identify and prioritize the need for expansion of reporting centers in those district court judicial districts which currently have a reporting center but have an unmet need for additional reporting center services due to capacity, distance, or demographic factors.²

This report contains the recommendations of the Community Corrections Council (Council) for the statewide expansion of reporting centers as requested by the LR 171 Task Force and required

by LB 864. It is organized into four sections: A description of reporting centers and the benefits they provide, a review of baseline data describing the current state of Nebraska's criminal justice system, a needs analysis indicating where the demand for additional reporting center services exists and the recommendations for reporting center expansion. The report was prepared by the Planning Subcommittee (Committee) of the Council in collaboration with the Department of Correctional Services (DCS), the Office of Probation Administration (Probation), and the Office of Parole Administration (Parole).

References to DCS or Probation data in this report refer to data provided to the committee from the Nebraska Case Management System (NICaMS) operated by DCS or the Nebraska Probation Management Information System (NPMIS) unless otherwise specified.

WHAT ARE REPORTING CENTERS?

A reporting center is a community based facility which blends high levels of offender supervision with intensive on-site delivery of evidence-based programming and rehabilitative services. Reporting centers provide a single location where offenders under community supervision report and receive services targeted at their criminogenic needs. Reporting centers utilize daily contact and monitoring, including random checking of daily itineraries, job interviews, counseling attendance and community service. Based upon need, offenders are also provided intensive substance abuse treatment, aftercare/relapse prevention, counseling, Alcoholics Anonymous and Narcotics Anonymous groups, GED and life skills classes, job referrals and vocational services. The combination of specialized programming, supervision in the community and skilled staff all serve to provide an environment where offenders can work to rehabilitate themselves and learn skills necessary to successfully re-integrate into the community.

Currently, there are eight reporting centers operating in the state, located in Lincoln (Lancaster), Omaha (Douglas), Papillion (Sarpy), Nebraska City (Otoe), South Sioux City (Dakota), Kearney (Buffalo), Lexington (Dawson) and McCook (Red Willow). The first reporting centers in Nebraska opened in October of 2006 in Kearney, Lexington and Bellevue followed by Omaha, Lincoln, South Sioux City and Nebraska City in 2007. The locations were determined based upon need (which areas were sending the highest numbers of FDO to DCS) as well as local interest.

The reporting center in McCook opened in the summer of 2010 and is operated out of the Work Ethic Camp Correctional Facility (WEC). It is the only reporting center co-located in a correctional facility and is a collaborative endeavor by Probation and DCS. The reporting center provides services to both probationers and inmates residing at WEC, but does not currently provide supervision of offenders in the SSAS program. Due to the recent opening of McCook reporting center, it is not reflected in the data presented in this report.

The funding sources for reporting centers demonstrate their collaborative nature and close ties to the communities they serve as shown in Table 1 below. The physical space and ongoing operations expenses are funded by the county, staffing costs are paid by the state through general funds, and the costs of services are funded through a combination of supervision fees paid by offenders and general funds.

Table 1 Reporting Center Funding Collaboration	
Facility and Operating Expenses	County
Services/Programming	State – Offender Fees
Staff	State – General Funds
Substance Abuse Treatment (Fee for Service Voucher Program)	State Paid – Offender Fees and General Funds

Primary Functions

Reporting centers have two primary objectives, prison diversion and recidivism reduction. Prison diversion focuses on reducing prison overcrowding by providing intensive supervision and services to non-violent offenders who are at a high risk of reoffending and would otherwise be prison bound. Recidivism reduction involves providing an array of evidence-based programming and services to the large number of lower risk offenders on probation and parole, with the objective of addressing the root causes of their criminal behavior and preventing them from returning to the criminal justice system.

Reporting centers help to reduce prison overcrowding by safely diverting targeted offenders into community supervision. The Specialized Substance Abuse Supervision program (SSAS) is a probation program which utilizes specially trained officers to provide a combination of substance abuse treatment, evidence-based programming and intensive supervision to high risk nonviolent offenders in the community. The target population for the SSAS program is felony offenders with a substance abuse problem and currently includes: FDOs, felony driving under the influence (DUI) offenders and offenders who have violated probation or parole.

The recidivism reduction function of reporting centers is exemplified by the variety of rehabilitative programming and services available to offenders, including educational assistance, vocational training, pre-treatment cognitive groups, drug testing and behavioral health services. Research conducted by the University of Nebraska at Omaha indicates that individuals who are sent to prison often have a long history of minor criminal offenses.³ Providing rehabilitative services to offenders before they develop a criminal history reduces the likelihood these individuals will recidivate and eventually end up in prison.

Staffing

Reporting centers are staffed and operated by Probation in collaboration with Parole, the Administrative Office of the Courts, the Council and the local communities they serve. The

staffing levels at reporting centers vary slightly from location to location based on need, but the template used for the existing reporting centers is as follows:

- 2 SSAS Officers (Specially trained probation officers)
- 2 Drug Testing Technicians
- 1 Reporting Center Coordinator
- 1 Probation Officer Assistant
- 1 Support Staff

In addition to this core staff, reporting centers are used by probation and parole officers to supervise offenders. Each reporting center has a unique relationship with the community they serve, and as a result they are customized to serve local needs. The Lancaster County reporting center is a good example of this. Located in a former nurse's dormitory at Trabert Hall, the Lancaster County Reporting Center includes additional office space for traditional probation officers and serves as the drug testing headquarters for the probation district.

Population Served and Utilization

One of the unique features of reporting centers is the diverse nature of the population they serve. The offender population served by reporting centers includes the following:

- State Probation offenders: SSAS, Community Based Intervention (CBI), and traditional probation
- Federal Probationers
- Parolees
- Drug and Problem-Solving Court Participants
- County Jail inmates

Having one location for community based services for all of these populations maximizes efficiency and allows for the sharing of expertise and resources.

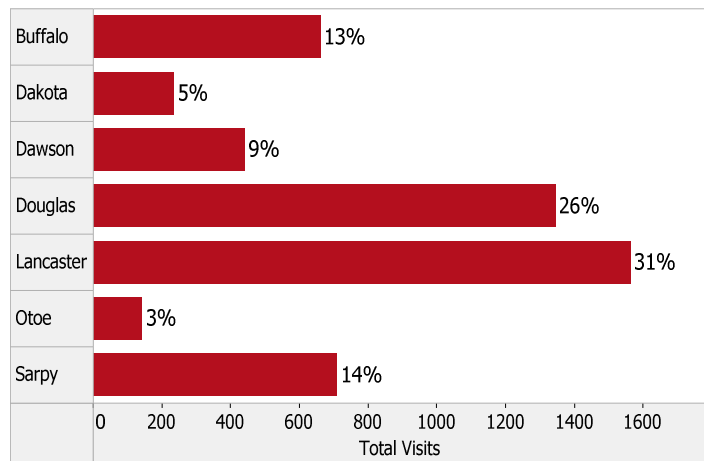
The number of offenders served by reporting centers varies by location, but statewide offender visits to reporting centers total over 10,000 per month. Approximately one half of these visits are to attend programming and receive services and half are drug testing appointments. Table 2 provides a breakdown of

Table 2 Reporting Center Visits by Referral Source - June 2010				
Program	Count	Percent	Drug Tests	Percent
SSAS	620	12%	1,681	30%
CBI	1,372	27%	2,274	41%
Parole	111	2%	62	1%
Traditional	1,558	31%	1,349	24%
Drug Court	602	12%	115	2%
Federal Probation	44	1%	0	0%
Other	791	16%	44	1%
Total	5,098	100%	5,525	100%

reporting center visits for June, 2010 by referral source. Offenders on traditional probation and CBI (formerly intensive supervised probation) account for the largest percentage, and combined, represent 58 percent of all programming visits. SSAS offenders comprise 12 percent of programming visits and 30 percent of the drug testing visits, which is consistent with the high level of supervision and frequent drug testing required of SSAS participants. Drug court participants utilize the reporting centers for a variety of services and represent 12 percent of programming visits, followed by parole and federal probation clients at 2 percent and 1 percent respectively. The other category includes local jail and community corrections inmates which make use of reporting centers. An example of this is the Lancaster county pre-trial release program which utilizes the reporting center in Lincoln to supervise inmates released from the county jail while awaiting trial.

Table 3 shows the program utilization by reporting center location. Douglas and Lancaster counties are the most utilized and account for 31 percent and 26 percent of visits, respectively. The next most utilized reporting center is in Sarpy County, followed by Buffalo, Dakota, Dawson and Otoe.

Table 3 Reporting Center Programming Visits



Programming and Services Offered

The programming available at reporting centers includes a wide array of educational programs, cognitive therapy, substance abuse and mental health treatment, vocational assistance, twelve step programs and life skills training. The programs offered are designed to assist offenders in addressing their criminogenic needs and developing skills to assist their re-integration into society. The five most utilized programs at the reporting centers are Moral Reconciliation Therapy (MRT), group reporting, GED classes, domestic violence classes, and cognitive restructuring. In addition to the rehabilitative programming options, the following services are also available: drug testing, transportation services, child care, computer lab access, and mediation. A complete list of programs and services available at reporting centers is provided in appendix A.

While some of the programs offered at the reporting centers are provided by reporting center and probation staff, a substantial percentage of the programs are operated by private providers from the community who contract with probation to provide these services. Paid for with offender fees, this involvement with local service providers has greatly expanded the scope and quality of the programs available and is another example of how reporting centers maximize the use of the limited resources available.

Outcomes

In addition to describing what reporting centers are, it is important to discuss the positive impact reporting centers can have on offender outcomes and for the state as a whole. Reporting centers benefit offenders by providing rehabilitative programming and services targeted at their criminogenic needs. Reporting centers impact the prison population by diverting prison bound offenders into community supervision and preventing future offenses through recidivism reduction. Local communities benefit from the increased availability of programming and services in the community and increased public safety.

Reporting centers in Nebraska were developed by Probation based upon research identifying treatment and supervision methods which have produced positive results in reducing recidivism among offenders in other jurisdictions. These evidence-based practices (EBP) have been adopted throughout the Probation system over the past five years and are based upon the following principles of effective offender interventions:

1. Assess the offenders risk level and criminogenic needs utilizing validated risk assessments;
2. Enhance intrinsic motivation through motivational interviewing techniques;
3. Target interventions based upon the following:
 - a. Risk: Prioritize supervision resources for higher risk offenders;
 - b. Need: Focus interventions on identified criminogenic needs;
 - c. Responsivity: Be responsive to individual characteristics of offenders;
 - d. Dosage: Structure 40-70 percent of high risk offenders time for 3-9 months;
 - e. Treatment: Integrate treatment as an essential component of the sentencing process for high risk offenders
4. Skill train with directed practice utilizing highly trained staff to provide cognitive programming to offenders;
5. Increase positive reinforcement by rewarding success and utilizing graduated sanctions for misbehavior;
6. Engage ongoing support in natural communities; and
7. Measure relevant processes/practices and provide measurement feedback.⁴

A substantial amount of national research also supports the reporting center model of providing a combination of treatment, supervision, and skills development to high risk offenders in the community. The Washington State Institute for Public Policy has conducted a meta-analysis of evidence-based programs for adult offenders with a focus on the impact these programs have had on recidivism rates. Examining 291 evaluations of adult correctional programs, the study identified a number of correctional programs for adults which have a demonstrated ability to lower recidivism rates. The report specifically examined 34 program evaluations of intensive community based supervision programs.

In reviewing these programs, the study reached the following conclusion:

“intensive supervision programs where the focus is on providing treatment services for the offenders have produced significant reductions; we found 10 well-researched evaluations of treatment-oriented programs that on average produced considerable recidivism reductions. The lesson from this research is that it is the treatment - not the intensive monitoring - that results in recidivism reduction.”⁵

The treatment oriented intensive supervision programs reviewed in the study reduced recidivism by 21.9 percent, the largest recidivism reduction of any adult program examined in the study. Programs involving cognitive-behavioral programming were also found to have a statistically significant impact on recidivism, with an 8.2 percent average reduction.⁶

As of the writing of this report, there has been no formal outcome evaluation of Nebraska Reporting Centers or the SSAS program. This is due primarily to the fact that the programs have been operating for only three years and there have not been enough graduates to perform an effective evaluation. Probation has also redesigned their data system to better accommodate the evaluation requirements of EBP. The Nebraska Probation Application for Community Safety (NPACS), which went live in August of 2010, replaced the Nebraska Probation Management Information System (NPMIS), and will allow for the collection and analysis of more outcome related data going forward. Probation was able to provide the following preliminary data indicating that SSAS is producing positive outcomes:

- 78% of probationers in the SSAS program were employed as of July 2010, as compared to 61% of high risk probationers and 75% of probationers with a DUI offense.
- 92% of SSAS probationers active during the month of June 2010 had a positive support system.
- 25% of probationers on SSAS that were reassessed with the Level of Service/Case Management Inventory (LS/CMI) during the first half of 2010, reassessed at a lower risk level.
- 64% of SSAS probationers discharged successfully from the SSAS program in the first half of 2010, 16% had their probation revoked. (Source: NPMIS)

The impact of reporting centers on prison populations should also be mentioned in a discussion of program outcomes. Admissions data from DCS shows a significant downward trend in FDO admissions since the first reporting centers came online in 2006. FDO admissions to DCS have decreased from a high of 795 in 2005 to 468 in 2009, a decrease of 327 offenders per year during a period in which overall admission rates to DCS have remained relatively flat. Over the same time period the SSAS program increased its capacity from 0 in 2006 to 343 offenders in the program at the end of 2009. While not every offender sentenced to SSAS would have been sent

to prison had the reporting center not been a sentencing option, the data suggests that reporting centers are impacting prison admissions for FDOs.

Lastly, it is important to note that reporting centers in Nebraska received national recognition in 2010 when the SSAS program was awarded the American Probation and Parole Association's Presidents Award.⁷ The program was recognized for its seamless approach in accepting offenders across systems and utilizing EBP to improve outcomes for offenders. Given to a single program each year, this prestigious award demonstrates that professionals in the field recognize that Nebraska's reporting center model is well designed and a standard for others to follow.

FINANACIAL BENEFITS

While the purpose of this report is to recommend reporting center expansion locations, the committee felt it was important to briefly discuss the financial benefits of utilizing reporting centers and the SSAS program to supervise offenders in the community rather than incarceration. Community supervision at reporting centers is substantially less expensive than incarceration, rehabilitates offenders, and also delays the need for prison capacity expansion. While policymakers are rightly skeptical of the concept of spending money to save money, particularly in a tight budgetary climate, the benefits to the state from investing in reporting centers are difficult to ignore. The financial savings to the state from expanding reporting centers can be separated into three distinct categories: prison diversion, recidivism reduction and prison capacity savings

Prison diversion savings

For each offender diverted from prison into the SSAS program, there are savings to the state in the form of costs not incurred by the DCS to house and supervise those inmates. Reporting centers also help to reduce the number of offenders sent to prison for probation and parole violations by reducing the recidivism rate through the use of evidence-based programming and services. In 2009, 434 offenders were sentenced to DCS for probation and parole violations, accounting for 20 percent of total admissions for the year. The direct costs incurred per offender, or per diem expense, at a DCS facility in FY2010 was \$5,625. This includes food, clothing and medical expenses but does not account for staffing or facility costs. The average cost per offender for FY 2010 when facility and staffing expenses are included increases to \$28,773.⁸

In comparison, the annual operating cost of a fully staffed reporting center is \$483,000. This includes \$383,000 in general funds for staffing expenses and \$100,000 in offender fees for service contracts with private providers to provide programming. As non-residential facilities, reporting centers do not have expenses for providing food, clothing or medical treatment. In terms of per offender costs, a reporting center with two SSAS officers and support staff can supervise 48 SSAS offenders who would otherwise be prison bound. This equates to an average cost per diverted offender of \$10,063. It is important to note, however, that this average cost estimate is extremely conservative due to the fact that it does not include the services received at

reporting centers by traditional probationers, parolees, drug court participants and local jail inmates who are not enrolled in SSAS. These offenders account for over 75 percent of the 10,000 visits per month to the seven existing reporting centers.

Recidivism reduction savings

As noted above, the evidence-based programming and treatment services provided at reporting centers have been shown to have a positive impact on reducing recidivism among offenders. While the costs savings to the state from the prevention of future crimes is difficult to predict, several prominent studies have examined the issue and determined that the costs to society in the form of additional crimes, victims, law enforcement and court resources, and future incarceration costs from an offender who is not rehabilitated are significant. In a 1998 study conducted by economist Mark Cohen, one of the nation's leading experts on the costs of crime, a typical criminal career was estimated to cause \$1.3 to \$1.5 million in costs to victims and taxpayers.⁹ The Washington Institute for Public Policy also performed a detailed economic impact analysis of the savings to be realized from recidivism reduction efforts. This study concluded that investments in intensive treatment oriented supervisions programs similar to the SSAS program would produce a return of \$16,239 in benefits to crime victims and \$10,235 in taxpayer benefits from reduced crime. The investment required to generate these benefits was \$7,356 per offender, producing a net benefit of \$19,118 in crime reduction benefits.¹⁰

Prison capacity savings

In addition to the direct costs that the DCS does not incur when an offender is diverted into community supervision, reporting centers have the effect of slowing the growth in the overall prison population and delaying the need to expand prison capacity. Reporting centers also provide the ability to expand capacity without additional capital construction costs to the state, as the counties provide the physical space and operating costs for the facility. While there are no plans to construct a new prison facility in the current economic climate, the DCS population was at 140.57 percent of design capacity as of October 12, 2010. This is significant because in 2003 the legislature adopted the Correctional System Overcrowding Emergency Act, which defines an overcrowding emergency and requires the Governor to be notified when the prison population exceeds 140% of capacity.¹¹ In such a situation, the Governor may declare an emergency which will require the Parole Board to consider or reconsider all parole eligible offenders for release on parole. While DCS has reached the 140 percent threshold on more than one occasion over the past three years, the Governor has not yet utilized his authority to declare an overcrowding emergency under the act.

Prison capacity expansion is also extremely expensive in comparison to expanding community based services. The most recent update to the DCS Strategic Capital Facilities Master Plan in 2006 predicted a need for a minimum of 1,352 additional prison beds by FY 2015 at a cost of over \$128,000,000 in construction costs and \$43,000,000 annually to operate.¹² In contrast, a relatively small \$3.3 million annual investment in expanding reporting center capacity statewide would pay substantial dividends to the state in future budget cycles when a correctional facility is

not built or plans are scaled down as a result of the offenders diverted into and rehabilitated at reporting centers.

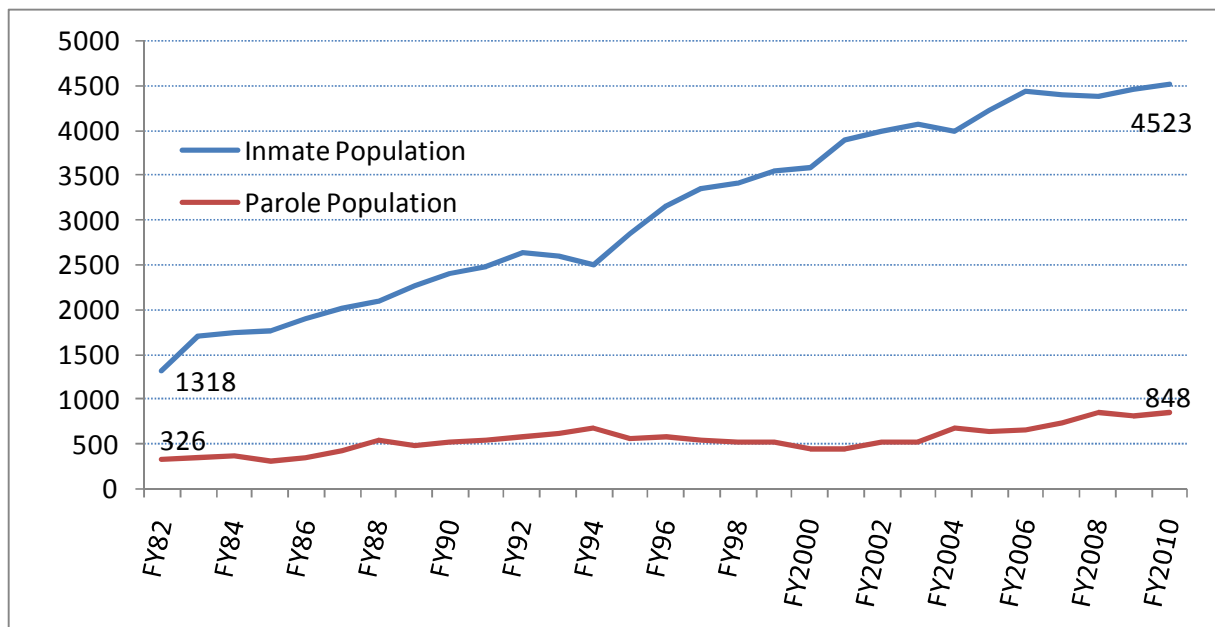
BASELINE DATA

Prior to examining DCS and Probation admissions data to determine where additional reporting centers should be located, the Committee examined the current state of corrections in Nebraska to provide some baseline data and give context to the discussion. The Committee reviewed the following: Current DCS and probation populations and budget information, DCS population trends and future population projections, and comparisons of Nebraska's criminal justice system with other states.

DCS Population, Budget, and Projections

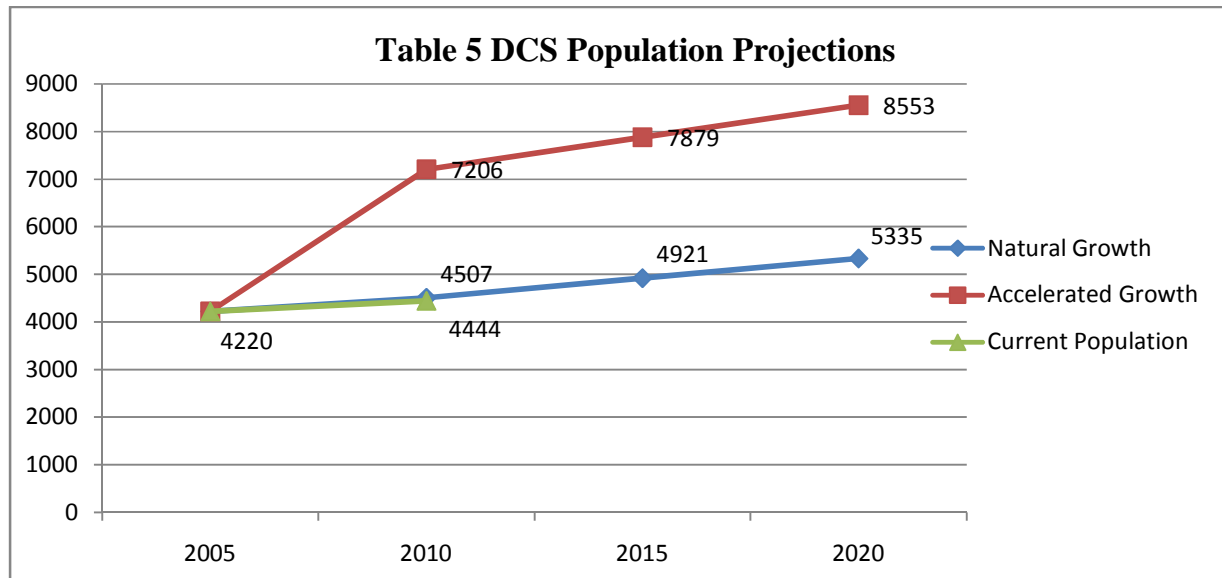
The total offender population incarcerated within DCS institutions as of October 12, 2010 was 4,463. This represents an average overcrowding rate of 140.57 percent for the nine institutions which were designed to house 3,175 offenders. This is an increase of nearly 25 percent, or 902 inmates, over the average monthly population within DCS in the year 2000, which was 3,561 inmates.¹³ Over the same 10 year time period the DCS budget has increased from \$95,574,615 in FY 2000 to \$178,380,728 in FY 2010, an increase of 86 percent. Table 4 documents the increase in the corrections and parole populations from FY1982-FY2010, showing a steady increase over time.

Table 4 Department of Corrections and Parole Population FY1982 - FY2010



The committee also examined the projected future growth in the prison population and the potential need for additional prison capacity in the future. In 2006, DCS updated its Strategic

Capital Facilities Master Plan and hired an outside consulting firm, Carter Global Lee, to develop projections of future population growth and the need for additional prison beds. The report concluded based upon its natural growth model that by 2015, DCS would have an offender population of 4,921 inmates, creating a need for 1,352 additional prison beds in order to reach a sustainable overcrowding level of 125 percent of design capacity. Table 5 outlines the two population growth models developed as part of the plan and compares them with the actual population growth since 2006.



The actual growth in the prison population since 2006 is below the natural growth model projection by 63 offenders through the end of July 2010. The natural growth model was a conservative estimate based upon the premise that admission rates to DCS would remain at the current rates, with no adjustment for legislative increases in penalties or creation of new offenses. The accelerated growth model took into account legislative increases in methamphetamine penalties adopted during the 2005 legislative session and operated on the assumption that 20 percent of the Class IV felony drug offenses would increase to Class III or Class II felonies going forward. This change in the average sentence length for drug offenders had a substantial impact on the projected prison population over time and is a factor the legislature should take into consideration going forward when discussing increases in criminal penalties. Fortunately, a number of factors have combined to limit the growth of the FDO population since 2006, one of the most significant being the opening of the eight existing reporting centers and the accompanying SSAS program. Even with increases in admissions for sex offenders and DUI offenders over this same five year period, the diversion of individuals into community based programs such as SSAS and drug courts have contributed to lower than projected growth in the overall prison population.

Probation Population and Budget

The committee also examined the current probation population and budget. Data issues prevented going back to 2000 for average population information, but the average monthly probation population for FY 2007 was 18,681 and in FY 2010 it was 18,702, representing near zero population growth over the three year period. The total FY2010 General and Cash Fund appropriation for Probation budget programs 67 (probation operations) and 435 (probation community corrections) was \$29,496,329. This includes the general funds for reporting centers and the fee for service voucher program passed through the Community Corrections Council and additional cash fund spending authority from the Probation Program Cash Fund.

National Comparison

While the prison overcrowding data and future DCS population projections present a rather negative image of the Nebraska prison population, the committee also looked at comparisons to other states in order to put Nebraska's situation in context. The Pew Center on the States conducted a study in 2009 which compared the criminal justice systems of all 50 states and looked at per capita incarceration rates, total corrections spending, and corrections spending as a percentage of the total state budget.¹⁴

In the comparison, Nebraska ranked 41st out of 50 states in the number of jail and prison inmates per capita with an incarceration rate of 1 in 143 adults. The combined probation and parole supervision rate per capita was 1 in 64 adults, which ranked 35th nationally (lower ranking is better). The per capita rate for the entire criminal justice system was 1 in 44 adults, which ranked 40th, and is significantly below the national average of 1 in 31 adults. In terms of correctional spending, Nebraska also compares favorably to other states, with the combined budgets for probation, parole and DCS totaling \$179 million for 2008. This represents 5.1 percent of the total state budget, which is also well below the national average of 6.9 percent. This data highlights that while Nebraska has a prison overcrowding problem and a need for additional community based services, the overall rates of incarceration and spending on corrections compare favorably with the rest of the nation.

NEEDS ANALYSIS

In order to develop recommendations for where reporting centers should be located, the Committee utilized data provided by Probation and DCS to identify where the demand for services exists. The demand for expansion at existing reporting center sites was also examined to determine if additional staff or a second facility was justified at existing reporting centers sites. While the need to make reporting center services available statewide is an important goal, the committee took the position that a recommendation should not be made if the data did not show sufficient demand to support a reporting center. Alternative probation programs are available or in development to provide services to offenders in sparsely populated areas.

The focus of the needs analysis was identifying the counties contributing the most to DCS admissions from the SSAS target population. Local probation, jail and problem solving court populations were also examined to identify the counties with the largest recidivism reduction potential. The presence of a suitable population center and local interest in developing a reporting center was also reviewed. Lastly, the committee reviewed risk assessment scores to compare risk levels between SSAS participants and offenders sentenced to DCS from counties not served by reporting centers.

Prison Diversion Potential

When examining the counties possessing the greatest potential to divert offenders from prison into community supervision at a reporting center, the committee looked at DCS admission statistics for the four groups which currently make up the target population for the SSAS program: felony drug offenders, felony DUI offenders, parole revocations and probation revocations. The data indicates that the vast majority of offenders sent to DCS are coming from a relatively small group of counties. While Nebraska has 93 counties, Table 6 demonstrates that over 83 percent of all prison admissions are from only 15 counties.

Table 6 DCS Total Admissions						
County	2005	2006	2007	2008	2009	Percentage of Total Admissions
DOUGLAS	958	903	916	887	802	36.3%
LANCASTER	382	361	353	408	416	15.6%
SARPY	148	158	149	150	146	6.1%
HALL	84	99	123	124	104	4.3%
MADISON	128	125	86	68	81	4.0%
DODGE	47	70	72	71	86	2.8%
DAKOTA	46	61	70	38	68	2.3%
SCOTTS BLUFF	80	62	51	38	52	2.3%
BUFFALO	52	39	44	54	48	1.9%
PLATTE	31	48	43	40	42	1.7%
DAWSON	45	36	29	20	35	1.3%
GAGE	41	27	28	29	35	1.3%
LINCOLN	28	30	26	34	28	1.2%
ADAMS	34	23	28	22	33	1.1%
CASS	40	27	22	26	21	1.1%
Cumulative total of listed Counties	2144	2069	2040	2009	1997	83.4%

Felony Drug Offenders

FDOs were the original target population for the SSAS program identified by the Community Corrections Council and Probation in 2005. They are also the largest offender group in terms of total admissions to DCS, comprising 19.6 percent of all DCS admissions in 2009. FDO admissions show a similar concentration among a small group of counties, with between 79 and 85 percent of all admission coming from 15 counties from 2005-2009. Table 7 provides a breakdown of the top 15 counties in FDO admissions over this time period. Among the counties without a reporting center, indicated by the yellow highlighting, several counties stand out. Madison, Hall, Dodge and Scottsbluff counties consistently ranked in the top five of counties without a reporting center, with Madison, Hall and Dodge counties occupying the top three positions in each for the last four years. These four counties represent 17 percent of the total FDO admissions to DCS over this five year period, averaging 105 admissions per year. The other counties without a reporting center which were consistently in the top 15 in FDO admissions over this time period were Platte, Adams and Hamilton counties, with each county making the list in at least three of the past five years.

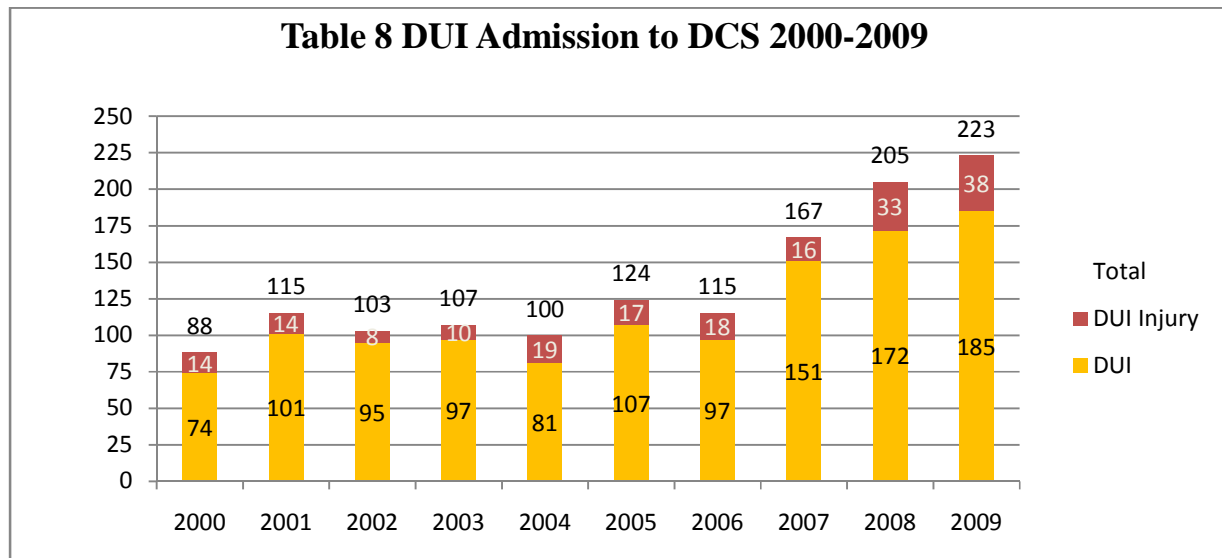
Table 7 Felony Drug Offender Admissions to DCS 2005-2009

2005	FDO	% of Total FDO Admissions		2006	FDO	% of Total FDO Admissions		2007	FDO	% of Total FDO Admissions
DOUGLAS	248	31.2		DOUGLAS	219	32.4		DOUGLAS	191	31.0
LANCASTER	69	8.7		LANCASTER	74	11.0		LANCASTER	80	13.0
MADISON	62	7.8		MADISON	55	8.2		SARPY	54	8.8
SARPY	57	7.2		SARPY	51	7.6		HALL	33	5.4
HALL	27	3.4		HALL	32	4.7		MADISON	31	5.0
BUFFALO	22	2.8		DAKOTA	25	3.7		BUFFALO	20	3.3
HAMILTON	20	2.5		DODGE	22	3.3		DODGE	20	3.2
SCOTTS BLUFF	20	2.5		BUFFALO	17	2.5		DAKOTA	20	3.3
CASS	19	2.4		DAWSON	15	2.2		PLATTE	19	3.1
DODGE	19	2.4		CASS	14	2.1		SCOTTS BLUFF	18	2.9
DAKOTA	18	2.3		SCOTTS BLUFF	12	1.8		ADAMS	13	2.1
DAWSON	16	2.0		PLATTE	12	1.8		HAMILTON	12	1.9
YORK	16	2.0		LINCOLN	10	1.5		WASHINGTON	11	1.8
PLATTE	15	1.9		ADAMS	9	1.3		DAWSON	7	1.1
Total	653	79.1		Total	584	84.0		Total	542	85.9
2008	FDO	% of Total FDO Admissions		2009	FDO	% of Total FDO Admissions		Total FDO Admissions		
DOUGLAS	140	28.4		DOUGLAS	125	26.7		2005	795	
LANCASTER	91	18.5		LANCASTER	85	18.2		2006	675	
SARPY	40	8.1		HALL	31	6.6		2007	616	
HALL	36	7.3		SARPY	30	6.4		2008	493	
MADISON	22	4.5		DODGE	20	4.3		2009	468	
DODGE	15	3.1		MADISON	19	4.1				

SCOTTS BLUFF	13	2.6		BUFFALO	18	3.8			
PLATTE	13	2.6		ADAMS	15	3.2			
HAMILTON	12	2.4		DAWSON	12	2.6			
BUFFALO	10	2.0		SCOTTS BLUFF	12	2.6			
CASS	10	2.0		DAKOTA	9	1.9			
YORK	7	1.4		HAMILTON	9	1.9			
DAWSON	7	1.4		SAUNDERS	9	1.9			
LINCOLN	7	1.4		CHEYENNE	6	1.3			
Total	436	85.8		Total	412	85.4			

DUI Admissions

While FDO admissions have been decreasing over the past 5 years, one category of offenders that has seen an increase in admission over this same time period is DUI offenders. Table 8 contains the total DUI admissions to DCS from 2000-2009, and includes a noticeable trend of increasing admissions since 2006. This is a result of the legislature's adoption of heightened DUI penalties, including new high blood-alcohol penalties and new felony penalties for third offense drunk drivers, in LB 925.¹⁵ In response to this increasing trend, the Council voted to add felony DUI offenders to the target population of the SSAS program in June 2008.



In terms of prison diversion potential, the top seven counties in DUI admissions from 2000-2008 without a reporting center were: Dodge, Scottsbluff, Madison, Hall, Platte, Lincoln and Adams counties. These seven counties accounted for 316 DUI admissions to DCS over this time period, representing 28 percent of all DUI admissions.

Parole Revocations

Individuals sent to prison for violating their parole are the third SSAS target population group examined by the committee. In 2009, parole revocation admissions to DCS totaled 289 offenders, or 12.1 percent of total admissions for the year. Table 9 contains the top 15 counties for parole revocations from 2005-2009. Nearly 92 percent of all parole revocations over this time period came from these 15 counties, consisting of seven counties currently served by reporting centers and eight counties without a reporting center. The eight counties without a reporting center, in descending order, are: Scottsbluff, Dodge, Hall, Madison, Adams, Gage, Platte and Lincoln counties. Combined these counties accounted for 11.4 percent of all parole revocations, representing 156 parole revocation admissions to DCS.

Table 9 Parole Revocations						
County	2005	2006	2007	2008	2009	Percentage of Total Admissions
DOUGLAS	138	122	125	119	107	42.6%
LANCASTER	124	84	84	82	81	31.8%
OUT OF STATE	11	12	4	6	11	3.1%
SCOTTS BLUFF	7	5	6	9	7	2.4%
DODGE	1	4	4	10	9	2.0%
HALL	2	6	5	5	7	1.7%
SARPY	1	3	4	7	7	1.5%
MADISON	5	2	3	5	6	1.5%
ADAMS	4	2	3	3	7	1.3%
GAGE	3	4	3		3	0.9%
PLATTE	4	2	1	1	3	0.8%
LINCOLN	2	3	3		3	0.8%
DAWSON	3		1	1	3	0.6%
BUFFALO	1	2	1	3	1	0.6%
CASS	4	1		1	1	0.5%
Cumulative total of listed counties	310	252	247	252	256	91.9%

Probation Revocations

Probationers who violate the terms of their probation and are subsequently sentenced to DCS are the last SSAS target population group examined in this analysis. Reporting centers help to reduce these admissions by offering a community based alternative to prison for probation violators. Table 10 lists the top 15 counties in probation revocation admissions from 2005-2009, which accounted for 82 percent of all probation revocation admissions. In 2009, probation violators constituted six percent of all DCS admissions statewide, a total of 145 admissions. Madison, Hall and Hamilton counties are the top three counties without a reporting center

followed by Gage, Platte, Saunders, Adams and Merrick. Combined these counties sent 162 offenders to DCS from 2005-2009, accounting for 24.9 percent of all probation revocations.

Table 10 Probation Revocation Admissions to DCS						
County	2005	2006	2007	2008	2009	Percentage of Total Admissions
DOUGLAS	43	49	50	35	40	33.2%
SARPY	13	19	16	14	22	12.8%
MADISON	8	12	6	6	2	5.2%
BUFFALO	7	4	4	9	6	4.6%
HALL	1	6	8	4	7	4.0%
HAMILTON	1	5	6	5	3	3.1%
LANCASTER		4	3	6	7	3.1%
DAKOTA	2	6	6	2	3	2.9%
GAGE	4	6	4	3	2	2.9%
PLATTE	1	6	6	3	3	2.9%
DODGE	1	6	1	4	3	2.3%
SAUNDERS	4	2		2	3	1.7%
ADAMS	2	3	4			1.4%
MERRICK		4	2	1	2	1.4%
DAWSON	2	3	2	1		1.2%
Cumulative total of listed counties	89	135	118	95	103	82.6%

Prison Diversion Conclusions

The committee was able to make several conclusions based upon the examination of the diversion potential for each of the four SSAS target populations. First, there is substantial potential for additional prison diversion by developing additional reporting centers and expanding the capacity of existing centers. Table 11 shows the combined SSAS target population admissions to DCS in 2009 totaled 1,125 offenders, or 47.1 percent of all admissions to DCS for the year.

Table 11 SSAS Target Population Prison Diversion Potential		
Offender Category	2009	Percentage of Total Admissions
FDO Admissions	468	19.6%
DUI Admissions	223	9.3%
Parole Revocations	289	12.1%
Probation Revocations	145	6.1%
Total	1125	47.1%
Total DCS Admissions	2387	

Secondly, there were four counties which stood out in terms of combined prison diversion potential. Madison, Hall, Dodge and Scottsbluff counties were consistently at the top of counties without a reporting center in all four target population categories. Madison possessed a combined diversion potential of 286 offenders (57 offenders per year), followed by Hall with 250 (50), Dodge at 187 (37) and Scottsbluff with 160 (32) offenders over the five year period from 2005-2009. A fully staffed reporting center has the potential to divert 48 offenders per year into the SSAS program and these counties are averaging close to this number of admissions from the target population on an annual basis. Lastly, there were three additional unserved counties which possess the prison diversion potential to support a split or partially staffed reporting center with a single SSAS officer (24 offender capacity). Platte County averaged 24 DCS admissions per year over the five year period while Adams and Hamilton counties averaged 18.

Recidivism Reduction Potential

The recidivism reduction potential of a community is represented by the number of lower risk offenders on traditional probation, parole, participating in problem solving court programs, or in local jails who can receive programming and services at a reporting center, reducing the likelihood that they will commit future offenses. In comparison to the prison diversion potential of a county, recidivism reduction potential is a secondary but important consideration in determining the demand for reporting center services. The committee took an in depth look at probation admissions as they represent the vast majority of offenders who will utilize reporting centers. Local parole populations were also examined but due to the significantly lower number of offenders on parole and the concentration of parolees in Lancaster and Douglas counties, a county by county analysis is not presented in this report. Finally, adult drug court and local jail populations were reviewed for the counties identified as possessing a significant prison diversion potential.

Probation admissions

There are currently nearly 18,000 probationers under court supervision statewide. This represents a tremendous potential for recidivism reduction and crime prevention if programming and services are made available to these offenders. Table 12 summarizes the 15 counties with the highest local probation population and which account for 79 percent of all probationers statewide. Six counties not currently served by reporting centers (highlighted in yellow) had over 300 probation admissions in 2009: Lincoln, Hall, Dodge, Platte, Scottsbluff and Madison, Washington and Saunders. Combined these counties received 2,391 new probation admissions during 2009 and accounted for 13.3 percent of all probation admissions from 2005-2009.

Table 12 Admissions to Probation						
County	2005	2006	2007	2008	2009	Percentage of Total Admissions
DOUGLAS	6973	6789	6285	6136	5947	35.1%
LANCASTER	2044	2418	2482	2550	2386	13.0%
SARPY	1125	1146	1183	1124	975	6.1%
DAWSON	657	677	622	611	593	3.5%
LINCOLN	526	497	526	595	489	2.9%
HALL	393	465	422	480	464	2.4%
DODGE	441	484	442	366	347	2.3%
PLATTE	449	402	369	447	386	2.2%
OUT OF STATE	378	390	396	394	333	2.1%
SCOTTS BLUFF	356	315	307	357	348	1.8%
DAKOTA	371	304	326	355	288	1.8%
BUFFALO	241	270	356	370	362	1.7%
MADISON	320	350	272	265	357	1.7%
WASHINGTON	279	247	218	243	202	1.3%
SAUNDERS	218	251	215	208	209	1.2%
Cumulative Total of listed Counties	14771	15005	14421	14501	13686	79.0%

Parole

The total statewide parole population as of October 12, 2010 was 874 offenders. DCS data shows that 66% of all parolees are released into Douglas County, Lancaster County or out of state. Due to the low numbers of parolees located outside of these two counties, a county by county analysis is not included in this report. This is not to imply that parolees cannot benefit from the services provided at reporting centers. In comparison to the probation population of nearly 18,000 individuals, the parolee data reviewed did not substantially affect a community's recidivism reduction potential.

Local Jail Population

Local jail offenders make up another population which can potentially benefit from programming and services available at a reporting center. While currently only Lancaster and Douglas Counties utilize their reporting centers to provide services to jail inmates, the potential benefits to this population in other counties should be considered. The committee examined the total jail admissions for the seven counties identified as having the highest prison diversion potential as well as Lincoln County which possessed the largest local probation population. The results are summarized in Table 13 below:

Table 13 Total Jail Admissions 2009*	
ADAMS	1,556
DODGE	1,088
HALL	5,113
MADISON	1,276
LINCOLN	1,908
PLATTE	2,117
SCOTTSBLUFF	2,178
HAMILTON	383
*Source: Nebraska Crime Commission Jail admissions database.	

Problem-Solving Court participants

Adult drug Court participants were the last population group examined by the Committee when analyzing recidivism reduction potential. Offenders participating in adult drug courts have access to reporting centers where available and utilize reporting centers to supplement the treatment received as part of the drug court program and improve their chances at successful rehabilitation. As of June 2010, there were nine adult drug courts operating statewide serving 12 counties with a total population of 407 offenders. The following counties are served by a drug court and do not possess a reporting center: Madison, Dodge, Scottsbluff, Hall, Adams, Saline, and Phelps.

Risk Assessment Comparison

In order to determine if the offenders being sent to DCS from counties without a reporting center are appropriate candidates for community supervision, the Committee conducted a comparison of risk assessment scores of FDOs sentenced to DCS and SSAS in 2009. Table 14 contains the average risk assessment scores for the top 15 counties in FDO admissions for 2009. An assessment score on the Level of Service Case Management Inventory (LS-CMI) between 20 and 30 is considered to be high risk to reoffend, while scores over 30 are a very high risk.

Several conclusions can be drawn from this data. First, the average risk level of offenders sent to DCS from counties without a reporting center is lower than the risk levels of offenders sent to prison from counties with a reporting center and is very comparable to the risk levels of SSAS participants in counties with a reporting center. This indicates that a substantial portion of the FDO's going to prison from counties without a reporting center meet the risk profile for diversion into the SSAS program. Secondly, in those counties served by a reporting center, the risk assessment scores for individuals sentenced to DCS are significantly higher than for those enrolled in SSAS. This demonstrates that SSAS and reporting centers are effectively diverting those offenders with the potential to be safely rehabilitated in the community while reserving prison space for the very high risk offenders.

Table 14 Risk Assessment Scores for FDO's admitted to DCS in comparison to SSAS - 2009			
County	FDO's	Average LS/CMI Score* DCS	Average LS/CMI Score* SSAS
DOUGLAS	67	28.7	25.6
LANCASTER	60	28.4	27.6
HALL	21	22.6	
MADISON	17	24.4	
ADAMS	11	27.4	
BUFFALO	11	27.9	23.3
DODGE	11	28.6	
SARPY	9	22.8	21.4
DAWSON	8	31.3	25.8
SCOTTS BLUFF	7	22.8	
DAKOTA	6	30.8	20
PLATTE	6	29.2	
SAUNDERS	5	29.3	
SHERIDAN	5	28.6	
HAMILTON	4	15.8	
*Based on Pre-Sentence Investigation Risk Assessment (NPMIS)			

Population centers and local interest

Whether the counties currently without a reporting center possess a suitable population center and the level of local interest in development of a reporting center were the last two issues the committee examined. All four of the counties with the highest prison diversion potential have a population center appropriate for hosting a reporting center: Madison (Norfolk), Dodge (Fremont), Hall (Grand Island) and Scottsbluff (Scottsbluff). All four of these counties have also expressed an interest in developing a reporting center. Additionally, Norfolk and Fremont have already identified a potential site and could move forward quickly in the development of a facility.

Among the next three counties identified as possessing a large enough offender population to support a reporting center, Adams (Hastings) and Platte (Columbus) have communities large enough to host a reporting center, but it is questionable whether Hamilton County has a suitable location. Aurora is the county seat, but is located on the eastern edge of the county and has a population of only 4,500. Fortunately, Hamilton County is adjacent to both Hall and Adams counties and offenders could potentially utilize a reporting center located in either Grand Island or Hastings. Both Adams and Platte counties have also expressed interest in a reporting center, while probation has not had any discussions with Hamilton County. Lastly, Lincoln County, which possesses the largest local probation population among the counties without a reporting center, has a suitable population center in North Platte and has expressed a high level of interest in a local reporting center.

Expansion at existing sites

In addition to examining the need for new reporting centers across the state, the Committee was also tasked with reviewing the need for expansion at the existing reporting center sites. The approach used by the committee to examine unmet need in these communities was to look at utilization rates at the existing reporting centers, the remaining prison diversion potential in these counties, and local interest in expanding the existing facility or in developing a second reporting center.

When reviewing the utilization and capacity of the existing reporting centers, the facilities in Lancaster and Douglas County stand out as currently operating substantially above capacity. Table 15 shows SSAS enrollment by Probation District at the end of 2009. Douglas County is currently operating at 153% of capacity with 110 offenders enrolled in a program designed to serve 72. Lancaster County is in a similar situation, operating at 124% of capacity and serving 89 offenders. The remaining five reporting centers were all operating at or below capacity at the end of 2009.

Table 15 SSAS Population by District							
December-09							
SSAS District	Current Population	Percent of Pop by District	End of Year 2008	Change from 2008		Capacity*/Percentage of Capacity	
District 2: (Sarpy, Cass, Otoe)	73	21%	44	29	66%	72	101%
District 3: (Lancaster)	89	26%	83	6	7%	72	124%
District 4: (Douglas)	110	32%	68	42	62%	72	153%
District 6: (Dakota, Cedar, Dodge, etc.)	31	9%	15	16	107%	48	65%
District 9/11: (Buffalo, Dawson)	40	12%	49	-9	-18%	48	83%
Total	343	100%	259	84	32%	312	110%
*24 offenders per officer, 13 total officers.							

In addition to operating above capacity, Lancaster and Douglas Counties also stand out as having the largest remaining prison diversion capacity of the existing reporting center sites. Combined, Douglas and Lancaster Counties accounted for 51.9 percent of all DCS admissions from 2005-2009. In terms of felony drug offender admissions, Douglas County had 125 FDO admissions to DCS in 2009, while Lancaster accounted for 85 FDO admissions indicating that there is still significant potential to divert additional offenders from prison into the community within these two counties. The FDO admissions for the remaining counties currently served by a reporting center have decreased substantially since the reporting centers opened in 2006. Sarpy County has seen a decrease in admissions from 57 in 2005 to 30 in 2009, while Buffalo has dropped from 22 to 18, Dawson from 18 admissions to 12, and Dakota from 18 to 9.

The last inquiry with regards to expansion at existing sites was the local interest and readiness to expand. Lancaster County has a very large existing reporting center at Trabert Hall, and has

expressed a preference to expand capacity at this existing location before looking into the possibility of a second reporting center. Douglas County, however, has expressed some interest in the development of a second reporting center as its current site is located in downtown Omaha and a second location would improve access to services for offenders living in other parts of the county.

RECOMMENDATIONS

LB 864 directs the Council to work collaboratively with Probation, Parole and DCS to develop a plan for statewide expansion of reporting centers. The plan is to include recommended locations for new reporting centers in district court judicial districts which currently lack a reporting center as well as recommendations for expansion in currently served districts. The recommendations are to be based on need, address the cost of developing or expanding reporting centers in each location, identify potential timeframes for expansion, and provide funding options for the legislature to consider.

When conducting this project, the Committee's primary operating principle was to base the recommendations upon the data indicating the need for additional reporting center services. As a result, recommendations will not automatically include a reporting center in each unserved judicial district if the data does not indicate a sufficient need for services or there is not a suitable location for a reporting center within a district. This is not to imply that sparsely populated areas of the state do not need community based services, only that they are not an appropriate site for a reporting center. Alternative programs, such as the remote recovery pilot program, are currently in development by Probation to provide services to offenders in those areas where the need or population are not sufficient to support a reporting center.

The recommendations are organized into the following categories:

1. New Locations - Recommended locations for new reporting centers in currently unserved judicial districts;
2. Existing expansion - Recommendations for expanding reporting center services in those jurisdictions currently served by a reporting center;
3. Costs - An examination of the costs of reporting center expansion and options to maximize efficiency;
4. Timeline - Options for implementing the expansion recommendations over time; and
5. Funding options - An examination of potential funding sources for reporting center expansion and recommendations for policymakers.

NEW LOCATIONS

The process for determining where new reporting centers should be located involved an examination of the following:

- A review of DCS and Probation data identifying the counties that are not currently served by a reporting center which possess the most prison diversion and recidivism reduction potential; and
- An examination of population centers within these counties which could support a reporting center and the local interest in developing a reporting center.

Prison diversion potential represents the number of offenders from a county sent to DCS who could potentially be diverted from prison and supervised in the community if a reporting center were available. Recidivism reduction potential is the number of local offenders in a county which could benefit from a reporting center, including probationers, parolees, problem-solving court participants and local jail offenders.

In developing the recommendations for new reporting center locations, it became apparent that there were several potential locations which met the criteria and which could not be easily differentiated based upon the data. The approach taken in this report is to group similarly situated communities into tiers based upon the need for services and the readiness of the local communities to move forward. The task of choosing between two similarly situated communities should be made by the policymakers in the legislature who possesses the experience and expertise in balancing competing needs with available resources.

Tier 1 –Madison (Norfolk), Hall (Grand Island), Dodge (Fremont) and Scottsbluff (Scottsbluff)

While all communities in Nebraska could potentially benefit from a reporting center providing services to offenders, the data analyzed by the committee consistently identified four counties as having the highest prison diversion and recidivism reduction potential among the counties not currently served by a reporting center. These four counties also possess population centers capable of supporting a reporting center and have expressed interest in collaborating with the state on development of such a facility. The four counties that possess the greatest need, are the most prepared, and have a suitable community where a reporting center could be located are listed below, along with the proposed location:

Madison (Norfolk)
Hall (Grand Island)
Dodge (Fremont)
Scottsbluff (Scottsbluff)

One additional fact to note is that Madison and Scottsbluff counties are located in Judicial Districts 7 and 12, respectively, which are currently not served by a reporting center.

Prison Diversion and Recidivism Reduction Potential

In terms of prison diversion potential, Madison, Hall, Dodge and Scottsbluff counties occupy the top four positions for FDO, DUI and total DCS admissions among counties without a reporting center. These four counties accounted for 17.0 percent of the total FDO admissions to DCS and 13.4 percent of all DCS admissions from 2005 to 2009. Madison and Hall counties placed first and second in probation revocation admissions sent to DCS over the same time period, while Scottsbluff, Dodge and Hall ranked first through third in parole revocations. DUI admissions were similar, with Dodge ranking first followed by Scottsbluff, Madison and Hall.

These four counties also possess significant recidivism reduction potential, with Hall and Dodge ranking second and third in local probation population among counties without a reporting center, while Scottsbluff ranks fifth and Madison sixth. All four of the target communities also have an adult-drug court, whose participants could benefit from the services and programming available at a reporting center.

Local Interest and Readiness

There is significant local interest in developing a reporting center within the communities of Norfolk, Grand Island, Fremont and Scottsbluff. All four communities have had discussions with Probation in which the county has indicated there is strong support for a reporting center. Norfolk and Fremont have already identified a location for a reporting center and are ready to move forward immediately, while Scottsbluff and Grand Island have substantial local support and could move forward quickly once a location is identified and state support becomes available.

Tier 2 –Platte (Columbus), Adams (Hastings) and Lincoln (North Platte)

The needs analysis performed by the Committee identified three additional counties which possess the prison diversion and recidivism reduction potential to justify a reporting center but which did not rise to the level of the counties in tier 1. The three counties in question are Platte, Adams and Lincoln. Platte County is located in District Court Judicial District 5 which currently does not have a reporting center and has a suitable population center in Columbus. Adams County is in District 10, another judicial district without a reporting center, and could locate a reporting center in Hastings. Lincoln County is in District 11, which has a split-site reporting center in Lexington and the non-SSAS reporting center in McCook, and could locate a reporting center in North Platte, the largest city in the district.

Prison Diversion and Recidivism Reduction Potential

The prison diversion potential of these three counties varies substantially. Platte and Adams counties are the fifth and sixth ranked counties without a reporting center in terms of prison diversion potential while Lincoln County possesses a relatively low prison diversion potential in comparison. The situation is reverse in terms of recidivism reduction potential, however, with Lincoln County possessing the largest local probation population of all counties without a reporting center, while Platte and Adams counties ranked fourth and ninth, respectively.

Local Interest and Readiness

In terms of local interest in development of a reporting center, Lincoln County has participated in discussions with Probation and expressed strong support for a reporting center in North Platte. Adams and Platte Counties have indicated an interest in a reporting center, but discussions are still in the initial stages and would take some additional time before being ready to move forward.

Staffing Levels

The three proposed locations in tier 2 all have a demand for services, but the level of need is below the sites in tier 1. As a result, the recommendation of the Committee is to initially open the tier 2 reporting centers with one half the staff of the tier 1 sites and to increase the staffing and services as needs dictate in the future. These facilities would be staffed and operate in a manner similar to the existing split-sites in Lexington/Kearney and Bellevue/Nebraska City. Each of these proposed reporting centers are close enough to an existing facility that staff and other resources could be shared, if necessary. Columbus could be paired with Norfolk, Hastings with Grand Island and/or Kearney, and North Platte with Lexington and/or McCook.

EXISTING EXPANSION

The recommendations for expansion of reporting center services within those districts which currently have a reporting center are based upon the following:

- The need for additional services within the judicial districts currently served by reporting centers based upon the needs analysis data identifying additional prison diversion and recidivism reduction potential of the counties within those districts;
- The capacity and utilization of the existing reporting centers; and
- Local interest in developing an additional reporting center location in the county;

Prison Diversion and Recidivism Reduction Potential

Among the counties currently served by a reporting center, Douglas and Lancaster clearly stand out as having unmet need for additional reporting center services. As the two largest counties in the state in terms of population, it is no surprise that Douglas and Lancaster also contribute the largest numbers of offenders to DCS, combining to account for 51.9 percent of all DCS admissions from 2005-2009. While significant progress has been made regarding FDO admissions to DCS, the potential for prison diversion remains high in both Lancaster and Douglas County. Even with a 50 percent reduction in FDO admissions since 2005, Douglas County is still the largest contributor, with 125 FDO admissions to DCS in 2009. Lancaster County is second with 85, accounting for 18.2 percent of FDO admissions to DCS in 2009. Douglas and Lancaster counties are also first and second in DUI admissions and probation and parole revocations to DCS.

The recidivism reduction potential of these two counties is also substantial, with multiple problem solving courts and 48.1 percent of the state's probation population residing within Lancaster or Douglas County. Additionally, 58 percent of offenders released on parole in FY 2009, a total of 539 offenders, were paroled to Lancaster and Douglas Counties. Parolees, with a recidivism rate approaching 40 percent and a high need for services, represent an important population which could benefit from expanded reporting center services. This is particularly true if the increase in the parole population recently proposed by DCS as a cost cutting measure becomes a reality. A doubling of the parole population would dramatically increase the demand in Lancaster and Douglas counties for reporting center services and programs.

Capacity and Utilization

The reporting centers in Lancaster and Douglas counties are currently operating well above capacity in their SSAS programs and receiving programming visits from thousands of offenders on a monthly basis. The Douglas County Reporting Center, which shares physical space and programming resources with the Douglas County Community Corrections program, had 110 participants at the end of 2009, representing 153 percent of capacity based upon a SSAS officer caseload of 24 offenders per officer. As SSAS supervision is more intensive and requires more direct involvement with offenders, having officers carrying caseloads above capacity will eventually affect the quality of the supervision provided.

Lancaster County's reporting center is in a similar situation, operating at 124 percent of capacity with 89 enrolled SSAS offenders in a program designed to serve 72. Fortunately, both of these reporting centers are located in large facilities and there is room to expand at the existing reporting centers without opening a second facility. Lancaster County could easily support additional SSAS personnel at the Trabert Hall facility, which would significantly increase the prison diversion potential of the reporting center. Douglas County is in a similar situation with its reporting center at the Douglas County Community Corrections facility.

Local Interest

Both Douglas and Lancaster counties have been very supportive of the reporting centers in their communities since they opened in the spring of 2007. Lancaster County utilizes the reporting center at Trabert Hall in Lincoln for pretrial release and house arrest programs involving local jail inmates, while Douglas County has co-located the reporting center with their county community corrections program to maximize resources and efficiency. While Lancaster County has not affirmatively expressed an interest in an additional reporting center, Douglas County has begun discussions with Probation regarding the possibility of a second reporting center location in the county.

TIMELINE

The simple but logical answer to the question of when to implement the recommendations to expand reporting centers is now. This, however, ignores political and financial realities which

require policy makers to balance many different requests for new programs. As a result, the planning committee took the approach of identifying implementation options for the legislature rather than recommend a single proposed timeline for implementation of the recommendations contained in this report. What the committee did examine is how quickly new reporting center sites could be opened and which counties have identified potential locations and are ready to move forward.

- Sites which have already identified space for a reporting center and are ready to move forward now: Norfolk, Fremont
- Sites which have strong support for a reporting center and ready to move forward in the short term: Grand Island, Scottsbluff, North Platte
- Sites requiring additional time to develop a reporting center: Columbus, Hastings, Omaha
- Sites currently prepared to expand an existing Reporting Center: Omaha, Lincoln

Based upon this information, the recommended implementation timeframe is a two phase process over three years. Phase 1 includes expansion of new reporting centers at the Tier 1 locations and expansion of the SSAS program in Lancaster and Douglas counties through the addition of two SSAS officers and an assistant probation officer. Phase 2 would begin after the completion of phase 1 and includes the development of reporting centers with a limited staffing component at the Tier 2 locations and development of a second reporting center in Douglas County.

Phase 1, Year 1 – Norfolk and Fremont Reporting Centers open and SSAS expansion in Lancaster and Douglas Counties.

Phase 1, Year 2 – Grand Island and Scottsbluff Reporting Centers open

Phase 2, Year 3 – Columbus, Hastings and North Platte Reporting Centers open with one-half staff, and second Douglas County reporting center opens.

COSTS

The Committee reviewed the cost of existing reporting centers and worked with Probation to develop an updated cost estimate for opening a new reporting center and the ongoing costs of operating the facility. The cost of expanding services at existing reporting center locations was also examined in those districts currently served by a reporting center. Third, the Committee examined the potential for split sites, in which the reporting center staff are split between two reporting centers in order to maximize efficiency and save costs.

Table 15 contains the estimate from Probation of the cost to open a new reporting center of approximately \$533,000 for the first year with an ongoing cost of \$483,000 per year. Currently, the staffing costs of reporting centers are funded entirely through general funds, the facility

expenses are paid for by the county and offender fees cover the cost of service contracts with local providers. The startup costs for a reporting center include \$50,000 for equipment and supplies during the first year.

Table 15: Reporting Center Start-Up Costs

Position	Ave Total Wages 7/1/2010	Ave Total Benefits 7/1/2010	Total Cost
Support Staff	23,797.92	23,963.41	47,761.33
Coordinator	52,288.02	26,943.41	79,231.43
Drug Tech	22,191.84	19,854.52	42,046.36
Drug Tech	22,191.84	19,854.52	42,046.36
PO Assistant	29,448.93	17,400.89	46,849.82
SSAS Officer	42,210.06	20,364.43	62,574.49
SSAS Officer	42,210.06	20,364.43	62,574.49
Total staffing	234,338.67	148,745.61	383,084.28
Equipment per site			50,000.00
Service contracts per site			100,000.00
Total First Year Start-up Cost			533,084.28
Total Ongoing Annual Cost			483,084.28

What this estimate does not show is that four of the existing seven reporting centers operate as split sites in which the staff is shared between two reporting center locations. In Lexington and Kearney and Bellevue and Nebraska City half of the support staff is located at each site and the Coordinator and SSAS officers split their time between the two locations. The split-site model allows for multiple reporting center locations in areas where the population may not justify a fully staffed center, allows the programs to cover a much wider geographic area which expands the number of offenders who can access the reporting center, reduces the travel required of offenders, and does so without increasing costs to the state. As the facilities are provided by the counties, this model also minimizes the costs to the state of operating multiple reporting centers in smaller communities.

Cost of Recommendations

A breakdown of the proposed budget for expansion based upon the recommended implementation timeframe is included in Table 16. Developing eight additional reporting centers and expanding the SSAS program in Lancaster County would require a total financial commitment of \$7,222,872 over the proposed three year timeframe with an annual ongoing cost of \$3,311,700 to maintain.

Table 16						
Reporting Center Expansion Proposed Budget						
Phase 1	Year 1	Item	Location	Total Expense	Ongoing Expense	Budget
		New RC's	Norfolk	\$533,000	\$483,000	
			Fremont	\$533,000	\$483,000	
			Total	\$1,066,000	\$966,000	
		SSAS Expansion	Lincoln	\$172,043	\$172,043	
			Omaha	\$172,043	\$172,043	
			Total	\$344,086	\$344,086	
	Year 1 Total		\$1,410,086	\$1,310,086	\$1,410,086	
	Year 2	Item	Location	Total Expense	Ongoing Expense	Budget
		New RC's	Grand Island	\$533,000	\$483,000	
			Scottsbluff	\$533,000	\$483,000	
			Total	\$1,066,000	\$966,000	
		Carryover - Ongoing Expense		\$1,310,086	\$1,310,086	
		Year 2 Total		\$2,376,086	\$2,276,086	\$2,376,086
Phase 1 Total			\$2,276,086	\$3,786,172		
Phase 2	Year 3	Item	Location	Total Expense	Ongoing Expense	Budget
		New RC's*	Columbus	\$266,500	\$241,500	
			North Platte	\$266,500	\$241,500	
			Hastings	\$266,500	\$241,500	
			Douglas	\$361,114	\$311,114	
		Total		\$1,160,614	\$1,035,614	
		Carryover - Ongoing Expense		\$2,276,086	\$2,276,086	
	Year 3 Total		\$3,436,700	\$3,311,700	\$3,436,700	
	Phase 2 Total			\$3,311,700	\$3,436,700	

Potential Savings

When discussing the costs of reporting center expansion, it is important to consider the savings that can be generated by the development of eight additional reporting centers statewide. The recommendations proposed in this report will expand the prison diversion capacity of the SSAS program by an additional 336 offenders per year. Based upon FY 2010 actual DCS expenditures, the per diem expenses alone for housing 336 inmates in DCS is \$1,890,000 per year, while the total cost to house 336 inmates when staffing and facility costs are included is upwards of \$9.6 million annually.¹⁶ This does not include the benefits produced by reporting centers in the form of recidivism reduction or reducing the need for additional prison capacity, both of which produce substantial long term benefits in the form of crime reduction and delaying the need to build additional correctional facilities. The projected cost of a 600 bed minimum security correctional facility is over \$39,000,000 to construct and over \$16,000,000 annually to operate, based upon estimates from the 2006 DCS Strategic Capital Facilities Master Plan.¹⁷

FUNDING OPTIONS

Funding the expansion of reporting centers is the last subject the plan is to address. The Committee felt that identifying potential funding options for the legislature was a more productive approach than prescribing a single funding mechanism. At the October 19, 2010 briefing to the Sentencing and Recidivism Task Force, requests were made by members of the task force to focus on funding options not involving general funds and to examine options to increase offender fees, as the current financial situation renders any proposal involving new general fund expenditures unlikely to be supported in the near future.

With these financial realities under consideration, the planning committee examined the current funding mechanisms for reporting centers and researched potential alternatives. The committee identified the following potential funding mechanisms for the expansion of reporting centers:

- Probation Program Cash Fund
- Increasing monthly supervision fees for offenders
- DCS savings
- Increase Parole contribution
- Increase local contribution
- Cutting existing community corrections programs
- General Funds

Probation Program Cash Fund

The Probation Program Cash Fund (Cash Fund), commonly referred to as the offender fee fund, is a cash fund administered by the Office of Probation Administration in consultation with the Community Corrections Council (Council). The fund receives revenue from enrollment and monthly supervision fees paid by probationers. The approved uses of the fund are to augment operational or personnel costs associated with the development, implementation, and evaluation of enhanced probation-based programs.¹⁸

Table 17 provides a breakdown of the expenditures approved from the fund for FY 2010. Expenditures totaling \$4,087,072 were approved from the fund for community corrections programs. The revenues coming

Table 17	
Probation Program Cash Fund	FY 2010
<u>Sustainable</u>	
Treatment/Programming	2,017,182
Reporting Centers	592,818
<u>One-Time Costs</u>	
Continuous Alcohol Monitoring	1,020,000
Electronic Case Reporting	213,750
Cognitive Group Workbooks	40,000
Probation/Judicial Branch	119,250
NPMIS Modifications	<u>84,072</u>
Total	4,087,072
Revenues	2,553,481
Interest Revenue	<u>311,817</u>
Total	2,865,289

into the fund from offender fees totaled \$2,553,481 and the interest revenue to the fund totaled \$311,817 for a total of \$2,865,289. This resulted in a net reduction to the fund for FY2010 of approximately \$1.2 million dollars. Part of this reduction is a result of cuts made during the special session to the general fund appropriations for community corrections, which were offset by use of the Cash Fund in order to maintain programs at their current service levels.

The long term sustainability of current expenditures is an issue, however, and Table 18 provides a history of the Cash Fund through the end of FY2010 at which point the balance in the fund was \$8,305,529. This represents the first net decrease in the fund balance on a year to year basis since its creation in 2003.

Table 18 Probation Program Cash Fund History						
	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10
Balance on July 1	1,450,800	3,999,830	6,592,239	7,754,523	9,122,445	9,887,052
Offender Fees		2,624,054	2,609,109	2,663,163	2,584,897	2,553,481
Interest		214,120	333,969	405,070	450,247	311,817
Other Revenue			7,130	35,012	10,309	15,176
Council GF Reimbursement			1,901,183	4,897,141	6,322,158	5,507,163
End of Fiscal Year Balance	3,999,930	6,592,239	7,754,523	9,122,445	9,887,052	8,350,529

The Cash Fund had a balance of \$7,654,121 as of September 30, 2010. Expenditures are currently exceeding revenues and, as a result, the Cash Fund is not a sustainable funding source for additional reporting centers over the long-term. Additionally, the Supreme Court has expressed intent to request that the legislature allow it to utilize the Cash Fund during the next budget cycle to offset potential cuts to probation and court programs in order to avoid a reduction in critical court or probation services. Both Probation and the Supreme Court budgets have a very high percentage of personnel costs, making it difficult to implement across the board cuts without reducing services. While the Cash Fund is not a long-term solution to funding additional reporting centers, a portion of the fund balance could be utilized to fund the startup costs for additional reporting centers during the first year if general funds and/or an alternative funding source were made available for ongoing expenses in subsequent years.

Offender Fees

Since the adoption of the Community Corrections Act in 2003, individuals sentenced to probation and parole in Nebraska have been required to pay both a one-time enrollment fee and as well as a monthly supervision fee to help offset the costs of their supervision. The fees are currently allocated to support substance abuse treatment vouchers for offenders, reporting center

expenses not covered by general funds, electronic reporting for low risk probationers, continuous alcohol monitoring, and training expenses for Probation personnel. As indicated above, the current annual expenditures from the fund exceed the fee revenues plus interest on an annual basis, leaving only the principal available to fund additional reporting centers, which is not a viable long term option. The current fee levels are as follows:

Enrollment Fee -	One-time \$30 fee
Supervision Fee -	Regular probation and Parole \$25/month
	Intensive probation \$35/month

These fees have not been increased since their adoption in 2004 and have generated approximately \$2.5 million dollars in fee revenue each year. In FY 2010, Probation data indicates courts ordered over \$4.8 million in offender fees, and collected approximate \$2.3 million. Of the remaining \$2.5 million in ordered fees, 27.6 percent were waived due to inability to pay and an additional 25.5 percent were ordered but not collected. The waiver numbers have shown a substantial improvement over time as Probation has made a concerted effort to educate offenders and the courts of the importance of supervision fees.¹⁹

An examination of probation fees in surrounding states shows a variety of approaches to offender fees and that Nebraska has some room to potentially increase their fees. Colorado charges a monthly supervision fee of \$50.²⁰ Missouri currently charges a \$30 monthly supervision fee but has statutory authority to increase the fee up to \$60.²¹ Oklahoma charges a \$20 enrollment fee and a \$40 monthly supervision fee.²² Iowa charges a one-time fee of \$300 to all probationers but also has fees for individual programs ranging from \$15-\$25 per month which are charged by the supervising probation districts.²³ Kansas also has a decentralized system operated by the counties in which supervision fees are determined locally, but all misdemeanor probationers must pay a \$25 enrollment fee and felony probationers pay a \$50 fee when sentenced to Probation.²⁴ The committee has identified the following options regarding offender fees:

- Increase the monthly supervision fees
- Increase the enrollment fee
- Increase the fee for felons placed on probation as they are higher risk clients requiring more supervision and on average consume more services than misdemeanor probationers
- Increase efforts to collect currently ordered, unwaived fees

With nearly 18,000 total probationers statewide, doubling the monthly supervision fees to \$50 and \$70 would increase revenues by an additional \$2.3 million per year based upon FY 2010 revenues, assuming that collections and waivers remain at current rates. Unfortunately, it is likely that a doubling of the fees would result in more fees being waived and/or uncollectable, making it difficult to accurately estimate the amount of revenue to be gained. Increasing the

success of collection efforts is also difficult to estimate and comes with associated costs. With over \$1 million in uncollected fees annually, however, it appears there is potential to improve revenues by enhancing collection efforts. Lastly, while a doubling of probation fees may be a hardship for some offenders, utilizing this fee revenue to expand reporting centers to additional areas of the state will allow more offenders to benefit from the programming and services supported by the fees.

Performance Incentive Funding

A funding mechanism that has received growing attention in other jurisdictions is to fund additional community corrections services by transferring a portion of the savings these programs produce in reduced prison costs back into community programs. Referred to as performance incentive funding, the concept is to measure the recidivism rate reductions produced by community based programs and then transfer a portion of the prison costs avoided to fund additional community corrections programs. Kansas, Ohio, Arizona and California have all adopted a form of performance incentive funding as a means to create a sustainable funding stream for community corrections.²⁵

This concept is also timely in light of the recently announced plan by DCS and the Parole Board to substantially increase the parole population as a budget cutting measure. The proposal to release up to 1,000 additional offenders on parole over a two year period will produce significant savings to DCS by allowing it to close two housing units, but will also significantly increase the number of parolees requiring services in the community. While DCS is planning to transition some of the housing unit staff into parole officer positions in order to supervise these offenders, failing to provide services as they re-enter the community may result in increased recidivism. The savings produced by the parole releases would be eliminated when the offenders return to prison. Currently, nearly 40 percent of individuals released on parole return to DCS within three years of release. Utilizing a portion of the savings generated by the release of these offenders to fund additional reporting centers and community based services will ensure that the savings generated by these releases are not just temporary.

Increasing Parole contribution

Currently, parolees pay a monthly supervision fee while on parole which is placed in the Parole Cash Fund. As parolees' access and benefit from reporting centers, a portion of these fees is transferred each year to Probation to help cover expenses relating to parolees utilizing services at the reporting center. Due to the low number of individuals on parole, this fund is substantially smaller than the Probation Program Cash Fund and had a balance of \$861,135 on September 30, 2010. These fees do not cover all the costs of providing services to parolees, particularly substance abuse treatment vouchers which are funded in part through the Probation Program Cash Fund. In FY 2009, parolees used approximately \$600,000 in voucher services and contributed only \$85,000 in parole fees. As a result, fees paid by probationers are currently subsidizing services utilized by parolees. An increase in parole fees, an increase in the spending authority out of the parole cash fund, and/or a larger contribution from Parole in the form of

staffing assistance or other in-kind contributions to help cover these expenses would provide additional revenue which could be used to support reporting center expansion.

Increasing local contribution

Another option to reduce the cost to the state of expanding reporting centers would be to place a larger share of the cost of reporting centers on the local communities they serve. Currently, counties provide the physical building the reporting centers are located in and pay the monthly operating expenses. One option is to require the counties to pay the startup costs of furnishing the reporting centers with office equipment and supplies, which is currently budgeted as a onetime \$50,000 per reporting center expense. This would most likely not be a popular option for the counties involved, however, as it has not been part of the ongoing discussions between probation and the counties regarding reporting center development.

Cut existing programs

Reducing funding to existing community corrections programs is another option to free up resources for reporting center expansion. The Council in collaboration with Probation, Parole and the Courts currently receives general fund appropriations to support three programs: Reporting Centers, Problem Solving Courts and the Fee for Service Voucher Program (Voucher Program). The general fund appropriations for reporting centers and problem solving courts directly support the personnel operating those programs, so substantial cuts would require the closing of courts and/or existing reporting centers, which is not a viable option.

The Probation Program Cash Fund currently funds reporting centers, the Voucher Program, electronic reporting services for low risk probationers, and continuous alcohol monitoring. Currently, the Voucher Program receives approximately \$2 million in general funds and an additional \$2 million in offender fees. Continuous alcohol monitoring has received funding from the fund for the past three years and is approved for \$1,000,000 for FY 2011. Electronic reporting is utilized to reduce the staff time required to supervise low risk probationers who are succeeding on probation and is budgeted at \$225,000 for the current fiscal year. Reducing funding to any or all of these programs is possible, but problematic in that it will reduce existing services for offenders. Substance abuse vouchers are particularly important to the SSAS program in that they help pay for the substance abuse treatment that is essential to the success of SSAS offenders.

General Funds

The last funding option presented is to utilize general funds to support reporting center expansion. This is the current method of funding the staff for the existing reporting centers. In examining funding options, it became apparent that the current fiscal climate does not present a realistic opportunity in the short term for additional general funds to support reporting center expansion. This is not to imply these programs are not deserving of general fund support. The costs avoided by treating individuals in the community rather than in prison, combined with the recidivism reduction benefits from evidenced based programming make reporting center

expansion a worthwhile long-term investment the state should not ignore.

CONCLUSION

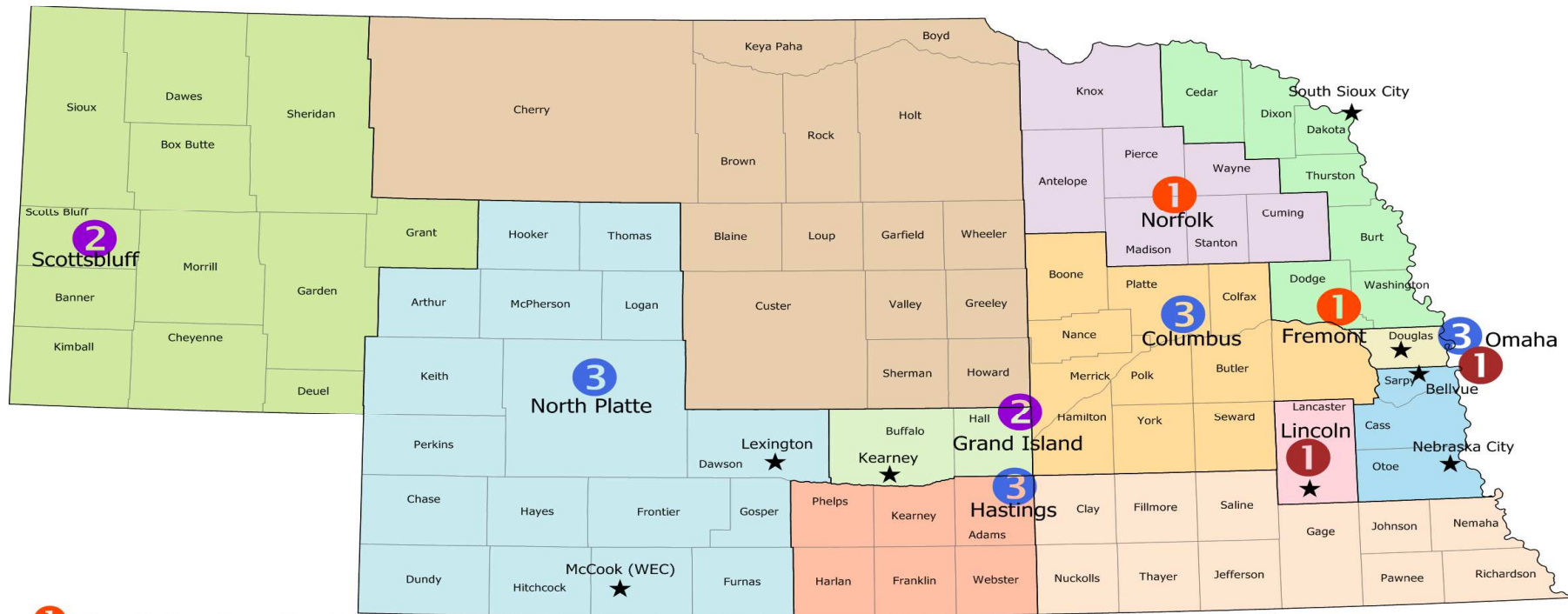
Reporting centers and the associated programming and services they make available to offenders in the community provide numerous benefits to the state of Nebraska in terms of offender outcomes, community safety and maintaining our prison population at current levels. Since the development of the seven initial reporting center sites in 2006, there has been no financial support available for expansion to cover additional areas of the state. This report was prepared at the request of the Sentencing and Recidivism Task Force and as required by LB 864 in order to present a plan for moving forward in the development of a statewide network of reporting centers. The Committee realizes that financial resources may not be available for immediate implementation of the recommendations contained in this report. It is the hope of the Council and its partners, the Office of Probation Administration, the Office of Parole Administration and the Department of Correctional Services, that this framework will be implemented in a timely manner as resources become available with the goal of achieving statewide coverage for these important programs.

Appendix A

Programming and Services Offered at Reporting Centers	
Programming	
Alcoholics Anonymous (AA/Al-Anon)	Intervention
AA Orientation	Job Readiness/Skills/WFD
Anger Management	Mental Health
Assessment	Moral Reconation Therapy (MRT)
Breaking Barriers	OASIS Counseling
Canabis Usage - Juvenile	Parenting
Change Companies - Juvenile	Peer/Leisure
Chemical Dependency	Power Source - Juvenile
Cognitive Restructuring	Pre-treatment
Cognitive Skills	Probation Orientation
Commitment to Change	Recovery
Community Resources	Relapse Group
Community Service	Relapse Prevention
Crime Victim Impact/Offender Accountability Class	Rural Improvement for Schooling And Employment (RISE)
Domestic Violence / BIP	Stress Management
Drug Court Alumni Group	Substance Abuse Evaluation
Fatherhood is Sacred	Thinking 4 Change (T4C)
General Education Diploma Program (GED)	Time Management
Goodwill	Victim Impact/Emp
GRIP Class	Vocational Rehabilitation
Group Reporting	Why Try?
HIV Education	Women's Group
	Women's Trauma
Services	
Continuos Alchol Monitoring Download	Drug Testing
Child Care	Mediation
Computer Lab	Transportation

Appendix B

Reporting Center Expansion



- 1 Year 1, New Reporting Center**
- 1 Year 1, Expansion of Existing Reporting Center**
- 2 Year 2, New Reporting Center**
- 3 Year 3, New Reporting Center**
- ★ Existing Reporting Center**

Michael Dunkle, Ph.D.
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Information Services Division
Community Corrections Council
November 2010

End Notes

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- ¹ Neb. Leg. Res. 171, 101st Leg., 1st Reg. Sess. (2009)
- ² Neb. Rev. Stat §47-624.01 (Neb. Laws 2010, LB 864, §3).
- ³ T. Hank Robinson Ph.D., *Metropolitan Community Justice Recidivism Reduction Center Study, Final Report* (University of Nebraska at Omaha, December 2006)
- ⁴ *Implementing Evidence-Based Practice in Community Corrections: The Principles of Effective Intervention*, (National Institute of Corrections, Community Corrections Division, April 2004)
- ⁵ Aos, Miller and Drake, *Evidence-Based Adult Corrections Programs What Works and What Does Not* (Washington State Institute for Public Policy, 2006), 6
- ⁶ Aos, Miller and Drake, *Evidence-Based Adult Corrections Programs What Works and What Does Not*, (Washington State Institute for Public Policy 2006), 3
- ⁷ American Probation and Parole Association, 2010 Award Winners, http://www.appa-net.org/eweb/docs/APPA/APPA_Awards_Winners_2010.pdf
- ⁸ Nebraska Department of Correctional Services, Annual Cost Report Fiscal Year 2010
- ⁹ Cohen, “The Monetary Value of Saving a High-Risk Youth,” *Journal of Quantitative Criminology*, Vol. 14, No. 1, 1998
- ¹⁰ Drake, Aos, and Miller, “Evidence-Based Public Policy Options to Reduce Crime and Criminal Justice Costs: Implications in Washington State” *Victims and Offenders*, Vol. 4, No. 2 2009, 184
- ¹¹ Correctional System Overcrowding Emergency Act, Neb. Rev. Stat. §83-960 to §83-963 (Laws 2003, LB 46, § 46)
- ¹² Carter Global Lee, *Strategic Capital Facilities Master Plan Update: Final Report* (October 2006), ES-17
- ¹³ Nebraska Department of Correctional Services Annual Report and Statistical Summary – 2009
- ¹⁴ Pew Center on the States, *One in 31: The Long Reach of American Corrections* (Washington, DC: The Pew Charitable Trusts, March 2009).
- ¹⁵ Neb. Laws 2006, LB 925 §11
- ¹⁶ Nebraska Department of Correctional Services, Annual Cost Report Fiscal Year 2010
- ¹⁷ Carter Global Lee, *Strategic Capital Facilities Master Plan Update: Final Report* (October 2006), ES-17

End Notes

¹⁸ Neb. Rev. Stat. §29-2252(14) (2010)

¹⁹ Office of Probation Administration, *Enrollment and Probation Fee Report* (2010)

²⁰ Colo. Rev. Stat. §18-1.3-204 (2002)

²¹ Mo. Rev. Stat. §217.690.3 (2005)

²² Ok. Stat. tit. 22, §16.991d

²³ Iowa Code §905.14 (2006)

²⁴ Kan. Stat. Ann. §21-4610a

²⁵ Pew Center on the States, *Policy Framework to Strengthen Community Corrections* (December 2008)